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PTO/SB/01 (10-00)

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted With Initial Filing
OR
☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number 023070079820
First Named Inventor Marilyn E. Etzler

COMPLETE IF KNOWN

Application Number 09/657,631
Filing Date September 6, 2000
Group Art Unit 1616
Examiner Name Not Assigned

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**LNP, A PROTEIN INVOLVED IN THE INITIATION OF MYCORRHIZAL INFECTION
IN PLANTS**

the specification of which (Title of the Invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 09/06/2000 as United States Application Number or PCT International

Application Number 09/657,631 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Country	Priority Not Claimed	Certified Copy Attached?	
					YES	NO
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

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[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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DECLARATION — Utility or Design Patent Application

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
NAME OF SOLE OR FIRST INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name Marilynn E.				Family Name Etzler or Surname		
Inventor's Signature <i>Marilynn E. Etzler</i>						Date 3/9/01
Residence: City Davis		State California		Country United States		Citizenship United States
Mailing Address 1514 Sycamore Lane						
Mailing Address						
City Davis		State California		ZIP 95616		Country United States
NAME OF SECOND INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name Nicholas J.				Family Name Roberts or Surname		
Inventor's Signature				Date		
Residence: City Palmerston North		State		Country New Zealand		Citizenship Australia
Mailing Address 17 Mere Mere Avenue						
Mailing Address						
City Palmerston North		State		ZIP 5301		Country New Zealand
<input type="checkbox"/> Additional Inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.						

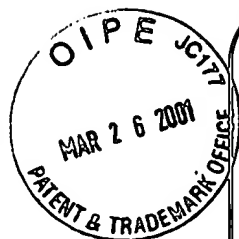
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NAME OF SOLE OR FIRST INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name Marilyn E.				Family Name Etzler or Surname			
Inventor's Signature						Date	
Residence: City Davis		State California		Country United States		Citizenship United States	
Mailing Address 1514 Sycamore Lane							
Mailing Address							
City Davis		State California		ZIP 95616		Country United States	
NAME OF SECOND INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name Nicholas J.				Family Name Roberts or Surname			
Inventor's Signature <i>Nick Roberts</i>				Date <i>MARCH 12, 2001</i>			
Residence: City Palmerston North		State		Country New Zealand		Citizenship Australia	
Mailing Address 17 Mere Mere Avenue							
Mailing Address							
City Palmerston North		State		ZIP 5301		Country New Zealand	
<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.							



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

PATENT
Attorney Docket No.: 02307O-079820US
Client Reference No.: 2000-493-1

#3

On March 21, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: Joy M. Marshall

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Etzler, et al.

Application No.: 09/657,631

Filed: September 6, 2000

For: LNP, A PROTEIN INVOLVED IN
THE INITIATION OF MYCORRHIZAL
INFECTION IN PLANTS

Examiner: Not Assigned

Art Unit: 1616

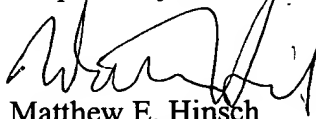
ASSERTION OF ENTITLEMENT TO
SMALL ENTITY STATUS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The entity status of the present application was entered as small when the application was filed. Small entity status was, and still is, entitled to be asserted for the present application. Therefore, only small entity fees should be applied for the prosecution of the present application.

Respectfully submitted,


Matthew E. Hinsch
Reg. No. P-47-651

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